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DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

JAN 12 1995

By: Marianne W. Greenwald
Deputy Attorney General
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BOARD OF PHARMACY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF:

Administrative Action

SAMUEL LEE, R.P.

PROVISIONAL ORDER

LICENSED TO PRACTICE PHARMACY
IN THE STATE OF NEW JERSEY

This matter was opened to the Board on information received which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent has been a licensee of the Board at all times relevant hereto. Respondent has failed to renew his license for the 1993-1995 biennial registration period.

2. On March 14, 1994, in the Court of Common Pleas of Dauphin County, Pennsylvania, Samuel Lee pled guilty to two counts of Medicaid Fraud and one count of unlicensed practice of pharmacy in the State of Pennsylvania. Respondent was sentenced to a probationary term of twenty-two (22) months and fined \$2,000.00.

CONCLUSIONS OF LAW

Respondent's conduct as set forth herein constitutes a conviction of crimes involving moral turpitude and/or crimes relating adversely to the pharmacy profession, as well as professional misconduct in the use of fraud, dishonesty, deception and misrepresentation contrary to N.J.S.A. 45:1-21.

ACCORDINGLY, IT IS ON THIS 12th DAY OF January, 1995,
ORDERED:

1. That respondent's license to practice pharmacy in the State of New Jersey is hereby revoked.

2. That respondent shall cease and desist from engaging in the practice of pharmacy, including the following: respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not handle anything requiring a prescription including devices and medications; he shall not handle prescriptions; he shall not advise or consult with any patient, and he is prohibited from being present within a prescription filling area of a pharmacy.

3. That respondent shall by execution of the within Order surrender his original wall certificate, his wallet certificate, and his most recent renewal card of his license to an authorized representative of the Board.

4. The within Order shall become final at 5:00 p.m. on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

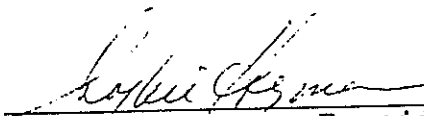
(a) Submitting a written request for modification or dismissal to H. Lee Gladstein, Executive Director, State Board of Pharmacy, 124 Halsey Street, 6th Floor, Newark, New Jersey 07101.

(b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

(c) Submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

5. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein shall serve as notice of the factual and legal allegations in such proceeding.

NEW JERSEY STATE BOARD OF PHARMACY

By: 
Sophie Heymann, President

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BOARD OF PHARMACY

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF:	:	Administrative Action
	:	
	:	CONSENT ORDER
SAMUEL LEE	:	
UNLICENSED	:	
	:	
	:	

This matter was opened to the New Jersey Board of Pharmacy by receipt of information that on March 14, 1994, in the Court of Common Pleas of Dauphin County, Pennsylvania, Respondent had pled guilty to two counts of Medicaid Fraud, and ~~one count of unlicensed practice of pharmacy~~ in the State of Pennsylvania. Respondent was sentenced to a probationary term of twenty two (22) months and fined \$2,000.00.

Respondent, admitting that the herein described conviction constitutes crimes involving moral turpitude and/or crimes relating adversely to the pharmacy professions, as well as professional misconduct in the use of fraud, dishonesty, deception and misrepresentation contrary to N.J.S.A. 45:1-21, and respondent having failed to renew his New Jersey pharmacy license for the period 1993-1995, and the parties having consented to the resolution of this matter without the necessity of formal administrative proceedings available

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to the Board, and it therefore appearing that due cause exists for the entry of the within Order,

IT IS ON THIS

DAY OF

1994,

ORDERED:

1. That respondent's license to practice pharmacy in the State of New Jersey is hereby revoked with prejudice to making application for reinstatement ~~for five (5) years from the date of entry of this~~ Order. 52

2. That respondent shall cease and desist from engaging in the practice of pharmacy, including the following: respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not handle anything requiring a prescription including devices and medications; he shall not handle prescriptions; he shall not advise or consult with any patient, and he is prohibited from being present within a prescription filling area of a pharmacy.

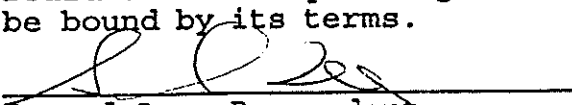
3. That respondent shall by execution of the within Order surrender his original wall certificate, his wallet certificate, and his most recent renewal card of his license to an authorized representative of the Board.

STATE BOARD OF PHARMACY

By: 

Sophie Heymann, President

I have read the within Order and understand its terms. I consent to its entry by the Board of Pharmacy and agree to be bound by its terms.


Samuel Lee, Respondent